

31st MEETING
OF THE
MARYLAND HEALTH CARE COMMISSION

Thursday, February 21, 2002
Minutes

Chairman Wilson called the meeting to order at 1:00 p.m.

Commissioners present: Alcoreza, Beasley, Chase, Etheredge, Ginsburg, Jensen, Malouf, and Murray

ITEM 1.

Approval of Minutes

Vice Chairman Malouf made a motion to approve the Minutes of the January meeting of the Commission, which was seconded by Commissioner Lenys Alcoreza, and unanimously approved.

ITEM 2.

ACTION ITEM: Certificate of Need (CON) Application, Motion for Reconsideration of Determination of Coverage of Capital Expenditure to Construct the Central Maryland Surgical Center, LLC and Surgical Synergies, Inc. - Action on Recommended Decision by Motions Officer

Chairman Wilson announced that Central Maryland Surgical Center, LLC and Surgical Synergies, Inc. had withdrawn the Motion for Reconsideration.

ITEM 3.

Update on Commission Activities

- Data Systems and Analysis
- Health Resources
- Performance and Benefits

Ben Steffen, Deputy Director of Data Systems and Analysis, referred the Commissioners to the written *Update of Activities*. Additionally, Mr. Steffen that further analysis of the MEPS data from 1997 confirmed the original staff analysis of the out-of-pocket spending for the insured and the uninsured. He further explained the definitions of “insured” and “uninsured” in all federal governmental reporting.

Pamela Barclay, Deputy Director of Health Resources, also McLean referred the Commissioners to the written *Update of Activities*. She announced that the first meeting of the Advisory committee on Outcome Assessment in Cardiovascular Care would be held on Monday, March 4, 2002 at the University of Maryland School of Medicine at 6:30 p.m.

Enrique Martinez-Vidal, Deputy Director of Performance and Benefits, also referred the Commissioners to the written *Update of Activities*. Copies of the *Update* were available on the documents table and on the Commission's website at: <http://www.mhcc.state.md.us/mhccinfo/cmsnmtgs/updates/>.

ITEM 4.

ACTION ITEM: CERTIFICATION OF ELECTRONIC HEALTH NETWORK (EHN): Web MD

Chairman Wilson announced that the next agenda item was certification of a new electronic health network. Dr. David Sharp, Chief, EDI Programs and Payer Information Systems, said that Web MD met all criteria for Commission certification and that staff recommended approval of the application. Vice Chairman Malouf made a motion to approve the certification, which was seconded by Commissioner Alcoreza, and unanimously approved.

ITEM 5.

FINAL ACTION: COMAR 10.25.02, User Fee Assessment on Health Care Practitioners

Chairman Wilson said that the next agenda items would be several regulations to consider for final action. Joel Tornari, Assistant Attorney General, said that there are two chapters of regulations relating to implementation of statutory changes to the user fee statute. The first one provided for a waiver process for certain classes of health care practitioners, to request a waiver of the fees. The Commission received three comments on this regulation. Commissioner Evelyn Beasley made a motion to approve the regulation, which was seconded by Commissioner Alcoreza, and unanimously approved.

ACTION: COMAR 10.25.02, User Fee Assessment on Health Care Practitioners, is hereby approved as Permanent Regulation.

ITEM 6.

FINAL ACTION: COMAR 10.25.03, User Fees for Payers

Mr. Tornari said that this regulation implements changes to the way that user fees are apportioned among the various users. No comments were received on the proposed regulation. Commissioner Murray made a motion to approve the regulation, which was seconded by Vice Chairman Malouf, and unanimously approved.

ACTION: COMAR 10.25.03, User Fee Assessment for Payers, is hereby approved as Permanent Regulation.

ITEM 7.

FINAL ACTION: COMAR 31.10.15, Substantial, Available, & Affordable Coverage Plan (SAAC)

Mr. Tornari said that the next set of regulations relate to the Substantial, Available, & Affordable Coverage Plan. The SAAC plan was amended several months earlier to conform the plan to changes made to the comprehensive standard health benefit plan. The proposed regulations add a hearing aid benefit for children in addition to other components, which are technical in nature. No comments were received on the proposed regulation. Vice Chairman Malouf made a motion to approve the regulation, which was seconded by Commissioner Beasley, and unanimously approved.

ACTION: COMAR 31.10.15, Substantial, Available, & Affordable Coverage Plan, is hereby approved as Permanent Regulation.

ITEM 8.

FINAL ACTION: COMAR 31.11.06, Comprehensive Standard Health Benefit Plan

Mr. Tornari said that the last proposed regulatory change to the Comprehensive Standard Health Benefit Plan is similar the SAAC plan change to add a hearing aid benefit for children in addition to other components which are technical in nature. No comments were received on the proposed regulation. Commissioner Murray made a motion to approve the regulation, which was seconded Commissioner Alcoreza, and unanimously approved.

ACTION: COMAR 31.11.06, Comprehensive Standard Health Benefit Plan, is hereby approved as Permanent Regulation.

ITEM 9.

LEGISLATIVE REPORT

Enrique Martinez-Vidal reviewed legislative action in the Maryland General Assembly over the past month including some bills on the small group market and CON program. Mr. Martinez-Vidal reported that staff had reviewed 72 bills and had made a determination of no position on 46 of those. The Commission sent letters of information on eight bills, two letters of support, and two letters of concern. The Commission is supporting four bills and is opposing four bills. The Commissioners and staff discussed the Commission's position on recently filed new legislation. The consensus was to oppose the small group market bills and the open heart surgery Certificate of Need bill and for staff to discuss the proposed study of the all payer system with legislative leadership.

ITEM 10.

PRESENTATION: *Maryland Health Insurance Coverage Through 2000*

Chairman Wilson announced that the next agenda item was staff's own analysis of the AHRQ Medical Expenditure Survey and Current Population Survey insurance information in a Chartbook format. Linda Bartnyska, Chief of Cost and Quality Analysis presented a summary of the report written by Rebecca Goldblatt, Health Policy Analyst. The report, which provides information on insurance coverage by age, income, percent of poverty, and type of employment, is designed to complement the Gallup Survey, currently underway. Information is also provided on insurance availability and cost sharing on premiums between employers and employees. Chairman Wilson complimented Ms. Bartnyska and her staff on the report. Commissioner Etheredge complimented the staff analysis as well and made a motion to approve the report, which was seconded by Commissioner Allen Jensen, and unanimously approved.

ACTION: *Maryland Health Insurance Coverage Through 2000* report is hereby **APPROVED for release.**

ITEM 11.

Hearing and Meeting Schedule

Chairman Wilson announced that the Commission Hearing and Meeting Schedule was available at the documents table, as well as on the Commission's website. The next scheduled meeting of the Maryland Health Care Commission will be at 1:00 p.m. on Thursday, March 21, 2002 at 4201 Patterson Avenue, Rooms 108-109, in Baltimore, Maryland.

ITEM 12.

Adjournment

There being no further business, the meeting was adjourned at 2:13 p.m. upon motion of Vice Chairman Malouf, which was seconded by Commissioner Chase, and unanimously approved by the Commissioners.